

ESTTA Tracking number: **ESTTA193525**

Filing date: **02/19/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91174151
Party	Plaintiff Nine West Development Corporation
Correspondence Address	Laurie J. Gentile Associate General Counsel 1129 Westchester Avenue White Plains, NY 10604 UNITED STATES rls@paulhastings.com
Submission	Stipulated/Consent Motion to Reopen
Filer's Name	Robert L. Sherman
Filer's e-mail	rls@paulhastings.com
Signature	/rls/
Date	02/19/2008
Attachments	Consent Motion to Reopen and Suspend (signed).pdf (3 pages)(178769 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 78/752,473
For the Mark: ENZOANI

Nine West Development Corporation,

Opposer,

v.

Enzoani Corporation,

Applicant.

Opposition No. 91174151

**MOTION ON CONSENT TO
REOPEN TESTIMONY PERIOD AND SUSPEND PROCEEDINGS**

The parties to Opposition No. 91174151 are actively engaged in settlement negotiations. The parties agree that negotiating a successful settlement would obviate the need for further proceedings in this matter. The parties have previously filed several motions on consent to extend in order to finalize their settlement, and believe that a final settlement is imminent.

Nine West Development Corporation ("Nine West") has secured the express consent of Vic Lin, attorney for the Applicant, Enzoani Corporation ("Enzoani"), by telephone on February 14, 2008, to move the Trademark Trial and Appeal Board ("TTAB") to reopen Opposer's testimony period and reschedule the testimony dates as provided below, and further to move the TTAB to suspend this proceeding for sixty (60) days to allow the parties to continue their settlement efforts.

Accordingly, the parties respectfully request that the TTAB reopen the testimony period and reschedule the testimony periods for the proceeding as follows:

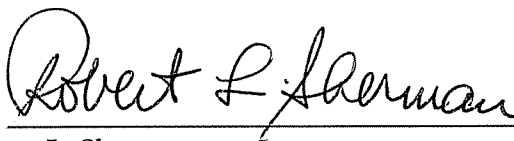
Discovery Period to Close:	CLOSED
Thirty-day testimony period for party in position of plaintiff to close:	03/20/2008
Thirty-day testimony period for party in position of defendant to close:	05/19/2008
Fifteen-day rebuttal testimony period to close:	06/03/2008

The parties further respectfully request that, pursuant to Trademark Trial and Appeal Board Manual of Procedure § 510.03(a) and Trademark Rules of Practice 2.117(c), the TTAB suspend this proceeding for sixty (60) days without prejudice to either party to reopen the proceedings.

This motion is made in good faith, without any intent to cause delay or prejudice, and with the sole purpose of allowing the parties time to reach a settlement.

The parties have provided their email addresses herewith so that any order on this motion may be issued electronically by the TTAB.

Dated: February 19, 2008

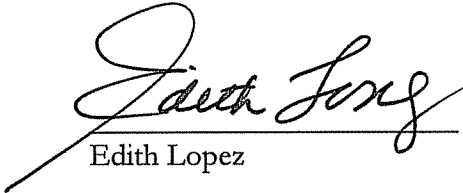
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Certificate of Service

This is to certify that a true and correct copy of the foregoing Motion on Consent to Reopen Testimony Period and Suspend Proceedings was served by First Class Mail on February 19, 2008 upon the following:

Vic Lin, Esq.
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Edith Lopez